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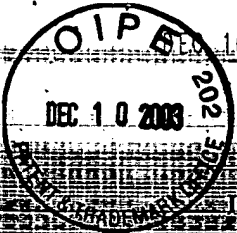
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4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Lothar Schwink et al. Examiner To Be Assigned
Art Unit To Be Assigned

Application No.: 10/626,314

Filed: July 24, 2003

Title: Substituted Diaryl Heterocycles, Process for Their Preparation and Their Use as Medicaments

CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, <u>Missing Parts</u> , at 703-746-4060, on	
Date of Deposit	<u>December 10, 2003</u>
Printed Name of Person Signing Certificate <u>Bonnie Stein</u>	
Signature	<u>Bonnie Stein</u>

LATE SUBMISSION OF DECLARATION
UNDER 37 C.F.R. 1.53(f)

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

In response to the "NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED" which was mailed on December 5, 2003 and which indicated that the oath or declaration was missing, Applicants submit herewith the Declaration for the present application and a copy of Form PTO-1533.

Also, enclosed is the Power of Attorney for Patent Application.

Please charge the \$130.00 fee involved to Deposit Account No. 18-1982. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Account No. 18-1982.

Respectfully submitted,

Lawrence L. Martin
Lawrence L. Martin, Reg. No. 46,902
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-4803
Telefax (908) 231-2626

Docket No. DEAV2002/0052US NP

DEC 10 2003 3:19PM

AVENTIS US PAT DEPT

NO. 5063 P. 5



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lothar Schwink et al.

Examiner: To Be Assigned

Serial No.: 10/626,314

Group Art Unit: To Be Assigned

Filed: July 24, 2003

Title: Substituted Diaryl Heterocycles, Process for Their Preparation and Their Use as Medicaments

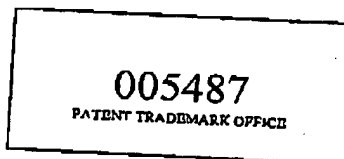
POWER OF ATTORNEY FOR PATENT APPLICATION

Mail Stop Missing Parts
Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We, Dr. Elmar-Michael Wein and Dr. Hans-Jürgen Fischer, Authorized Signatories of Aventis Pharma Deutschland GmbH, Assignee of the above-identified Application, hereby appoint the attorneys and/or agents associated with the Customer No.(s) provided below as attorneys and/or agents with full power to prosecute this application on behalf of Assignee and to transact all of Assignee's business in connection with the above-identified Application in the Patent and Trademark Office:

Customer Number:



Effective Date: July 24, 2003

By:

Dr. Elmar-Michael Wein Dr. Hans-Jürgen Fischer

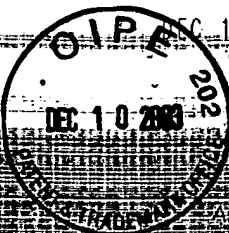
Title:

Prokurist Handlungsbevollmächtigter

Date:

October 29, 2003

Address correspondence and telephone calls to:
Lawrence L. Martin, Reg. No. 46,902
Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, New Jersey 08807-0800
Telephone (908) 231-4803
Telefax (908) 231-2626



DECLARATION
FOR PATENT APPLICATION

UNITED STATES OF AMERICA

As a below named inventor(s) I/We hereby declare that:

My/Our residence(s), post office address(es) and citizenship(s) are as stated below my name(s).
I/We verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter which is claimed
and for which a patent is sought on the invention entitled:

**Substituted Diaryl Heterocycles, Process for Their Preparation and Their Use
as Medicaments**

and the specification of which ☐ is attached hereto (Aventis Docket No. DEAV2002/0052US NP)
(check one) ☒ was filed on **July 24, 2003** as U.S. Application Number **10/626,314**
☐ and was amended on (if applicable)
☐ was described and claimed in PCT Int'l Application Number filed on (if any),
and as amended under PCT Article 19 on

I/We hereby state that I/We have reviewed and understand the contents of the above identified specification,
including the claims as amended by any amendment referred to above.
I/We acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me/us to
be material to patentability as defined in 37 C.F.R. 1.56.

☒ I/We hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or 365 (b) of any foreign
application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at
least one other country other than the United States of America, listed below and having a filing date before that of
the application on which priority is claimed. I/We have also identified below any foreign application for patent or
inventor's certificate having a filing date before that of the application on which priority is claimed:

Foreign Priority: **10233817.5-44** **Germany** **25 July 2002**
Number Country Day/Month/Year Filed

Prior Foreign Appin(s): Number Country Day/Month/Year Filed

☒ I/We hereby claim the benefit under Title 35, United States Code §119(e) of any United States Provisional
application(s) listed below:
60/428877 **25 November 2002**
Number Filing Date

☐ I/We hereby claim the benefit under Title 35, United States Code §120 or 365(c) of any United States
application(s) or international application designating the United States listed below and, insofar as the subject
matter of each of the claims of this application is not disclosed in the prior United States application in the manner
provided by the first paragraph of Title 35, United States Code §112, I/We acknowledge the duty to disclose
information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which
became available between the filing date of the prior application and the national or PCT international filing date of
this application.

Application Serial No. Filing Date Status (Patented, Pending)

I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information
and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements
and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States code §1001, and that such
willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventors(s): ☒ Additional names and signatures are attached.

1. Full name: **Lothar SCHWINK**
Signature: Lothar Schwink
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2. Full name: **Siegfried STENGELIN**
Signature: Siegfried Stengel
Date: Oct 23, 2003
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Residence: **Eppstein, Germany**
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65817 Eppstein, Germany

DEC 10 2003 3:20PM

AVENTIS US PAT DEPT

NO 5063 -P 7-

3. Full name: Matthias GOSSE

Signature: [Signature]

Date: 21.10.2003

Country of Citizenship: Germany

Residence: Hofheim, Germany

(City and State/City and Country only)

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65719 Hofheim, Germany

4. Full name: Thomas BOHME

Signature: [Signature]

Date: 21.10.2003

Country of Citizenship: Germany

Residence: Rüsselsheim, Germany

(City and State/City and Country only)

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65428 Rüsselsheim, Germany

5. Full name: Gerhard Hessler

Signature: [Signature]

Date: Oct 20, 2003

Country of Citizenship: Germany

Residence: Hofheim, Germany

(City and State/City and Country only)

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65719 Hofheim, Germany

6. Full name: Gerard Rosse

Signature: [Signature]

Date: [Blank]

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(City and State/City and Country only)

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7. Full name: Armin Walser

Signature: [Signature]

Date: [Blank]

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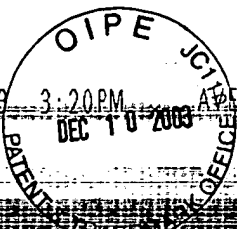
Aventis Docket No. DEAV2002/0052US NP

DEC 10 2003

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PATENTIS US PAT. DEPT.

NO. 5063 P. 8



DECLARATION

UNITED STATES OF AMERICA

FOR PATENT APPLICATION

As the below named inventor(s), I/We hereby declare that:

My/Our residence(s), post office address(es) and citizenship(s) are as stated below my name(s).
I/We verily believe I/am/we are the original, first and sole/joint inventor(s) of the subject matter which is claimed
and for which a patent is sought on the invention entitled:

**Substituted Diaryl Heterocycles, Process for Their Preparation and Their Use
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and the specification of which ☐ is attached hereto (Aventis Docket No. DEAV2002/0052US NP)
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☐ was described and claimed in PCT Int'l Application Number filed on
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Foreign Priority: 10233817.5-44 Germany 25 July 2002
Number Country Day/Month/Year Filed

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and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code §1001, and that such
willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventors(s): ☒ Additional names and signatures are attached.

1. Full name: Lothar SCHWINK

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Date: _____

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Date: _____

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3. Full name: Matthias GOSSEL

Signature: _____

Date: _____

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Date: _____

Country of Citizenship: GermanyResidence: Rüsselsheim, Germany

(City and State/City and Country only)

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Signature: _____

Date: _____

Country of Citizenship: GermanyResidence: Hofheim, Germany

(City and State/City and Country only)

P. O. Address: Im Langewann 5365719 Hofheim, Germany6. Full name: Gerard RosseSignature: Gerard RosseDate: 08/18/03Country of Citizenship: SwitzerlandResidence: Arizona, USA

(City and State/City and Country only)

P. O. Address: 11495 N. Ingot LoopOrn Valley, Arizona 85737 USA7. Full name: Armin WalserSignature: Armin WalserDate: 08/18/03Country of Citizenship: USAResidence: Tuscon, Arizona

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Aventis Docket No. DEAY2002/0052US NP